

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 11-10212-JLT
)	
1. JOHN WILLIS)	
a/k/a "Bac Guai John")	
2. BRANT WELTY)	
7. MICHAEL CLEMENTE)	
a/k/a "Ricky Martin")	
9. MARK THOMPSON)	
12. BRIDGET WELTY)	
)	
Defendants.)	

FINAL STATUS REPORT

Pursuant to Local Rule 116.5(c), the United States of America and the undersigned defendant submit this joint status report in advance of the Final Status Conference scheduled for September 18, 2012.

1. Pretrial Conference

The parties move for a pretrial conference before the District Court in order to resolve pretrial motions which have been filed and to schedule a trial date.

The government and counsel for remaining defendants continue discussions which may result in resolution of the case as to that defendant without trial. In the event that a change of plea hearing becomes necessary, the parties will alert the Court as soon as necessary.

2. Additional Discovery

The government is substantially up to date in its production of discovery. The government anticipates that it will produce additional information regarding newly-cooperating defendants as such information becomes available and laboratory backup and qualifications of its expert witnesses, and any other expert disclosures, not less than 21 days before trial, as the Court

previously ordered.

The defendants reserve the right to file for additional discovery in response to the government's production of new discovery.

3. Discovery Requests

Defense counsel have had an opportunity to request additional discovery. There are no outstanding discovery requests.

4. Rule 12 Motions

Defendants John Willis, Brant Welty, Bridget Welty, and Michael Clemente have filed dispositive motions, which have been briefed. The deadline for dispositive motions has passed. No hearing date has been scheduled by the district court.

5. Speedy Trial Act Calculations

On May 3, 2012, the Court issued an Order excluding time from April 25 through May 24, 2012, as to all defendants except Melendez. On May 29, 2012, the Court issued an Order excluding time from May 24 through June 19, 2012. On June 22, 2012, the Court issued an Order excluding time from June 19, 2012, through July 13, 2012. Accordingly, zero days had been counted and 70 days remain under the Speedy Trial Act through July 13, 2012.

On July 12, 2012, John Willis filed a motion to suppress; on July 25, 2012, Michael Clemente filed a motion to suppress; on August 2, 2012, Brant Welty moved to suppress; and on August 3, 2012, Brant Welty moved to sever and Bridget Welty moved to sever and suppress. Those motions remain pending. Pursuant to 18 U.S.C. § 3161(h)(1)(D), the Speedy Trial Clock was tolled since July 12, 2012, and the parties request that the Court issue an order excluding such time.

On August 2, 2012, the Court issued an Order excluding time from August 2, 2012, through September 18, 2012. Accordingly, zero days have been counted and seventy days remain under the Speedy Trial Act.

Finally, the parties request that the Court exclude the time between September 18, 2012, and the date of the next scheduled hearing.

6. Anticipated Trial

The United States estimates that, as the case is currently constituted, a trial would last three to four weeks.

7. Other Matters

On August 16, 2012, the grand jury returned a second superseding indictment in this case charging two additional defendants, Anh Nguyen and Colby Deering. Those parties are filing a separate initial status report.

On August 27, 2012, the government and several defendants jointly moved to continue the trial currently scheduled for October 9, 2012. That motion is pending.

8. Request to Waive the Final Status Conference

Pursuant to Local Rule 116.5(c)(3), the parties request that the Court waive the Final Status Conference and issue an order transferring the case to the District Court.

Respectfully submitted,

JOHN WILLIS

By: Jeffrey Denner
Jeffrey Denner
Counsel for John Willis

Date: September 12, 2012

CARMEN M. ORTIZ
UNITED STATES ATTORNEY

By: Timothy E. Moran
Timothy E. Moran
Richard L. Hoffman
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Timothy E. Moran
Timothy E. Moran